

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

Select Financial Services, LLC,	)	
	)	C/A No.: 7:05-cv-2647-GRA
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	(Written Opinion)
Penland Financial Services, Inc.,	)	
Charles Penland, and Penco, Inc.	)	
	)	
Defendants.	)	
_____	)	

This matter comes before the Court on Defendant Charles Penland's Motion "to Remove Summary Judgment, and Sanctions, Placed in Error, with Bias, and Malice by Judge Anderson" ("Motion"). For the reasons discussed herein, Defendant Penland's Motion is DENIED.

This civil case was filed over four years ago, on September 13, 2005. Although Defendant originally had an attorney in the initial stages of the civil action at issue, he long ago fired those attorneys and is now proceeding *pro se*.

During Defendant's civil case, this Court went out of its way to ensure Defendant was adequately heard and represented. In spite of this Court's efforts and patience, Defendant refused to participate in this civil action. Ultimately, this Court struck Defendant's answer and ordered that the trial proceed on the issue of damages.

On April 15, 2008, Defendant appealed this Court's order striking his answer. The United States Court of Appeals for the Fourth Circuit dismissed this appeal the following year. By September 21, 2009, the Fourth Circuit had dismissed all remaining appeals filed by Defendant. On September 23, 2009, the clerk's office sent a notice that this Court would hold a damages hearing on November 17, 2009, to finally resolve this case. On October 19, 2009, Defendant filed numerous requests, including a request for a jury trial. On November 5, 2009, this Court rescheduled the damages hearing for December 1, 2009, to begin immediately after jury selection.

On November 20, 2009, Defendant filed the instant Motion requesting various forms of relief, including recusal and reconsideration of this Court's order striking his answer.

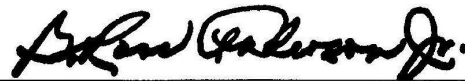
Defendant is proceeding *pro se*. This Court is required to construe *pro se* pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *See Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *See Boag v. MacDougall*, 454 U.S. 364, 365 (1982).

This Motion appears to be another example of Defendant attempting to delay these proceedings. The Motion merely rehashes arguments Defendant has made, and this Court has rejected, on numerous occasions. After a thorough review of the

record, this Court finds that its prior decisions in this case were correct as a matter of law. Accordingly, this Court will not reconsider any of its prior decisions nor recuse itself, and the Defendant's Motion is without merit.

IT IS THEREFORE ORDERED that Defendant's Motion "to Remove Summary Judgment, and Sanctions, Placed in Error, with Bias, and Malice by Judge Anderson" is DENIED.

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read "G. Ross Anderson, Jr.", is written over a horizontal line.

G. ROSS ANDERSON, JR.  
UNITED STATES DISTRICT JUDGE

November 23, 2009  
Anderson, South Carolina